

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

TOMMIE F. WEDLOWE,	*	
Plaintiff,	*	
	*	
vs.	*	Case No.:
	*	
SENTRY SELECT INSURANCE	*	
COMPANY, FAST LANE	*	
CARRIERS, LLC., and	*	
NIJAZ IBRISEVIC,	*	
	*	
Defendants.	*	

**NOTICE OF REMOVAL**

TO: The Judges of the United States District Court, Northern District of Georgia

COME NOW Defendants in the referenced action, and respectfully show the  
Court as follows:

1.

A civil action was brought against the Defendants in the Superior Court of DeKalb County, State of Georgia, by the above named Plaintiff, said action being designated as Civil Action No. 22CV10700. It has been demonstrated through the Plaintiff's Complaint in said action that the Plaintiff seeks to recover from the Defendants a sum in excess of \$75,000, exclusive of interest and costs.

2.

The Plaintiff's Complaint in the underlying action shows that the Plaintiff seeks to recover various items of damages, and Plaintiff's Complaint specifically prays for a recovery of past special damages in the amount of \$479,218.47.

3.

Plaintiff's Complaint in the underlying action shows that the Plaintiff is a citizen of the State of Georgia. (Complaint, ¶ 2).

4.

Plaintiff's Complaint shows that Defendant Fast Lane Carriers, LLC is a foreign corporation with its principal place of business in the State of Tennessee. (Complaint, ¶ 3).

5.

Plaintiff's Complaint shows that Defendant Nijaz Ibrisevic is a resident of the State of Pennsylvania. (Complaint, ¶ 8).

6.

Plaintiff's Complaint also shows that Defendant Sentry Select Insurance Company is a foreign corporation with its principal place of business in a State other than Georgia. (Complaint, ¶ 13).

7.

There is complete diversity of citizenship among the parties in this matter.

8.

Plaintiff is seeking damages in this lawsuit in an amount in excess of the \$75,000 jurisdictional limit for federal jurisdiction based on diversity of citizenship.

9.

28 U.S.C. § 1446(b) provides that a notice of removal of a civil action or proceeding should be filed within 30 days after the receipt by the Defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which the action is based.

10.

Sentry Select Insurance Company was served with the Summons and Complaint in this matter on December 27, 2022. Defendant Fast Lane Carriers was served thereafter on or about January 17, 2023. To date, Defendant Nijaz Ibrisevic has apparently not been served with process.

11.

Sentry Select Insurance Company answered the Plaintiff's Complaint on January 12, 2023. The other two Defendant's answered the Plaintiff's Complaint by special appearance on that same date, January 12, 2023.

12.

The present case is subject to removal to Federal Court based on diversity of citizenship jurisdictional grounds.

13.

This Notice of Removal is filed within thirty (30) days of receipt of the Complaint in this matter by any of the Defendants.

14.

The Defendants attach hereto or separately filed herewith the following pleadings from the Superior Court action:

- Exhibit 1 Complaint;
- Exhibit 2 Summons;
- Exhibit 3 Affidavit of Service of Process on Sentry Select Insurance Company;
- Exhibit 4 Answer of Defendant Sentry Select Insurance Company;
- Exhibit 5 Answer by Special Appearance of Fast Lane Carriers, LLC and Nijaz Ibrisevic;
- Exhibit 6 Defendants' Demand for Jury Trial;
- Exhibit 7 Defendants' First Interrogatories to Plaintiff;
- Exhibit 8 Defendants' First Request for Production of Documents to Plaintiff;
- Exhibit 9 Defendants' First Request for Admissions to Plaintiff;
- Exhibit 10 Plaintiff's First Interrogatories and Request for Production of Documents to Defendant Sentry Select Insurance Company.

15.

This action could have originally been brought in this court under 28 U.S.C. § 1332, in that it is a civil action wherein the amount in controversy exceeds \$75,000, exclusive of interest and costs, and there is diversity of citizenship between the parties.

16.

Pursuant to 28 U.S.C. § 1441, et seq., this action is now removed by reason of diversity of citizenship, there being diversity of citizenship and more than \$75,000 in controversy, exclusive of interest and costs.

17.

Notice of Removal is hereby given in accordance with 28 U.S.C. § 1446.

WHEREFORE, the Defendants collectively file this Notice of Removal of this lawsuit to federal court.

Respectfully submitted, this 25th day of January, 2023.

**FAIN MAJOR & BRENNAN, P.C.**

/s/ *Dale C. Ray, Jr.*

JAMES W. HARDEE  
Georgia Bar No. 324399  
DALE C. RAY, JR.  
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**RULE 5.1 (C) CERTIFICATE OF TYPE, FORMAT, AND FONT SIZE**

The undersigned certifies that the foregoing submission to the Court was computer processed, double spaced between lines, and used Times New Roman font of 14 point size.

**FAIN, MAJOR & BRENNAN, P.C.**

BY: /s/ Dale C. Ray, Jr.  
DALE C. RAY, JR.  
Georgia State Bar No. 596095

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**CERTIFICATE OF SERVICE**

This is to certify that I have this date served upon counsel for the opposing parties in the foregoing matter a copy of the foregoing *Notice of Removal* with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to all attorneys of record.

Joe Morris, III  
N. John Bey  
BEY & ASSOCIATES, LLC  
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This 25<sup>th</sup> day of January, 2023.

**[SIGNATURE ON NEXT PAGE]**

**FAIN MAJOR & BRENNAN, P.C.**

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/s/ *Dale C. Ray, Jr.*

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